IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 12-00081-01

CIVIL NO. 14-0106

ARLANDO PICKETT

ORDER

:

AND NOW, this /8 day of time

, 2014, it is hereby

RDERED

that the government's motion to dismiss the defendant's petition under 28 U.S.C. § 2255, DDE #78, is hereby

GRANTED,

as the defendant waived in his plea agreement the right to present any collateral challenge to his conviction and sentence, and has not alleged any miscarriage of justice sufficient to overcome that waiver. See United States v. Khattak, 273 F.3d 557 (3d Cir. 2001).

It is hereby

ORDERED

that a certificate of appealability is

DENIED.

BY THE COURT:

THE HONORABLE J. CURTIS JOYNER

United States District Judge